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September 1, 2005

**By Fax**

Michael D. Powell, Esq.  
Weil, Gotshal & Manges, LLP  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065

Re: Oracle Corporation v. Mangosoft, Inc., et al.  
U.S.D.C. for the N.D. California Civil Action No. 03-02267-VRW

Dear Mr. Powell:

Prior to last evening at 8:00 p.m. e.s.t., I had not heard whether you had intended to proceed with Mangosoft's continuing Rule 30(b)(6) deposition on September 8, 2005, as I had proposed in my letter to you July 27, 2005. In any event, Mangosoft's designee on those topics is no longer available to be deposed on that date. I will endeavor to provide you with alternative dates next week.

With regard to your letter of August 25, 2005, as you are well aware, we represent Messrs. Phillips, Davis, Dietterich and Porter. We also represent Messrs. Parsons and Woodbury. I will attempt to contact Randy Shain, Jim Plummer, Kevin Mendel and Jerry Plouffe to determine whether we will be representing them.

Thank you.

Sincerely,

*Joseph P. Messina (sg)*  
Joseph P. Messina

cc: Thomas W. Lathram, Esq.